

DEPARTMENT OF HEALTH SERVICES

2151 BERKELEY WAY
BERKELEY, CA 94704



October 29, 1988

CERTIFIED MAIL

Mr. Lou Monsour
Environmental Coordinator
National Semiconductor Corporation
MS 4-300
313 Fairchild Drive
Mountain View, CA 94042

EPA ID # CAD095989778

REPORT OF VIOLATION AND SCHEDULE FOR COMPLIANCE

Dear Mr. Monsour:

On September 15, 1988, the Department of Health Services conducted an inspection of National Semiconductor Corporation's Hazardous Waste Storage Facility in Mt. View, California. As a result of this inspection, the following violations of hazardous waste statutes and regulations were observed.

I. Violations

1. Health and Safety Code, Division 20, Chapter 6.5, Section 25159.5(b).

Fairchild Semiconductor violated the California Health and Safety Code, Division 20, Chapter 6.5, Section 25159.5(b), in that on or about September 15, 1988 the facility violated the following sections of Title 40 of the Code of Federal Regulation (40 CFR):

Fairchild Semiconductor violated 40 CFR 265.112(b)(4) in that the closure plan did not contain a detailed description of the methods for sampling and testing surrounding soils, and criteria for determining the extent of decontamination necessary to satisfy the closure performance standard.

Fairchild Semiconductor violated 40 CFR 265.142(a)(2) in that the closure cost estimate is not based on the costs to the facility of hiring a third party to close the facility.

Fairchild Semiconductor violated 40 CFR 265.142(a)(3) in that the closure cost estimate incorporates salvage value that may be realized by the sale of facility equipment.

2. Title 22, California Code of Regulations, Section 66508 (a)(2)(3) & (c)(1)(3).

Fairchild Semiconductor violated Title 22, California Code of Regulations, Section 66508 (a)(2)(3) & (c)(1)(3), in that on or about September 15, 1988 the facility did not mark the two roll-off bins in the empty container storage area, adjacent to Building No. 9, with the date upon which each period of accumulation began and the words "Hazardous Waste". Also, a label was not placed on the roll-off bins with the following information: 1.) composition and physical state of the waste; and 2.) name and address of the person producing the waste.

3. Title 22, California Code of Regulations, Section 67103(c), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section II(13)

Fairchild Semiconductor violated Title 22, California Code of Regulations, Section 67103(c), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section II(13), in that on or about September 15, 1988 the facility did not post at the entrance to the hazardous waste treatment areas Nos. 3 & 4, signs with the legend, "Danger-Hazardous Waste Area-Unauthorized Personnel Keep Out".

4. Title 22, California Code of Regulations, Section 67104 (b)(1), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section III(5)(b)(1).

Fairchild Semiconductor violated Title 22, California Code of Regulations, Section 67104 (b)(1), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section III(5)(b)(1), in that on or about September 15, 1988 the facility did not develop and follow a written schedule for inspecting the emergency eyewash and safety showers in the hazardous waste areas of the facility.

5. Title 22, California Code of Regulations, Section 67105(c), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section III(6)(c).

Fairchild Semiconductor violated Title 22, California Code of Regulations, Section 67105(c), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section III(6)(c), in that on or about September 15, 1988 the facility personnel had not taken part in an annual review of the initial training required in Title 22, California Code of Regulations, Section 67105 (a).

6. Title 22, California Code of Regulations, Section 67142(b), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section III(14)(b).

Fairchild Semiconductor violated Title 22, California Code of Regulations, Section 67142(b), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section III(14)(b), in that on or about September 15, 1988 the facility did not submit a revised list of emergency coordinators to the California State Department of Health Services and to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services.

7. Title 22, California Code of Regulations, Section 67212(b)(4), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section V(2)(a)(4).

Fairchild Semiconductor violated Title 22, California Code of Regulations, Section 67212(b)(4), and the Facility Hazardous Waste Interim Status Document No. CAD095989778, Section V(2)(a)(4), in that on or about September 15, 1988 the facility closure plan did not include an estimate of the expected year of closure.

8. Facility Hazardous Waste Interim Status Document No. CAD095989778, Section II(17).

Fairchild Semiconductor violated the facility's Hazardous Waste Interim Status Document No. CAD095989778, Section II(17), in that on or about September 15, 1988 the facility did not provide an industrial-type first-aid kit, available for immediate use, in the hazardous waste treatment area No. 3.

II. Schedule of Compliance

1. Within 30 days of the receipt of this Report, National Semiconductor Corporation must revise it's closure plan to include a detailed description of the methods for sampling and testing surrounding soils, and criteria for determining the extent of decontamination necessary to satisfy the closure performance standard.

Within 30 days of the receipt of this Report, National Semiconductor Corporation must revise it's closure cost estimate based on the costs to the facility of hiring a third party to close the facility.

Within 30 days of the receipt of this Report, National Semiconductor Corporation must revise it's closure cost estimate so salvage value that may be realized by the sale of facility equipment is not incorporated into the estimate.

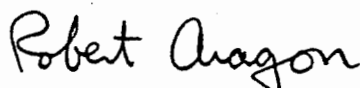
2. Immediately upon the receipt of this Report, National Semiconductor Corporation must mark the two roll-off bins in the empty container storage area, adjacent to Building No. 9, with the date upon which each period of accumulation begins and the words "Hazardous Waste". Also, a label must be placed on the roll-off bins with the following information: 1.) composition and physical state of the waste; and 2.) name and address of the person producing the waste.
3. Immediately upon the receipt of this Report, National Semiconductor Corporation must post at the entrance to the hazardous waste treatment areas Nos. 3 & 4, signs with the legend, "Danger-Hazardous Waste Area-Unauthorized Personnel Keep Out".
4. Within 30 days of the receipt of this Report, National Semiconductor Corporation must develop and follow a written schedule for inspecting the emergency eyewash and safety showers in the hazardous waste areas of the facility.
5. Within 60 days of the receipt of this Report, National Semiconductor Corporation personnel must take part in an annual review of the initial training required in Title 22, California Code of Regulations, Section 67105 (a).
6. Immediately upon the receipt of this Report, National Semiconductor Corporation must submit a revised list of emergency coordinators to all local police departments, fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services.
7. Immediately upon the receipt of this Report, National Semiconductor Corporation must amend it's closure plan to include an estimate of the expected year of closure.
8. Immediately upon the receipt of this Report, National Semiconductor Corporation must provide an industrial-type first-aid kit, available for immediate use, in the hazardous waste treatment area No. 3.

The Department may schedule a reinspection of the National Semiconductor Corporation to verify compliance.

The issuance of this Report of Violation does not preclude the Department from taking administrative, civil, or criminal action as a result of the violations noted herein.

If you have any questions regarding this report, please contact Bob Aragon at (415) 540-2043.

Sincerely,



Robert Aragon
Waste Management Engineer
Region 2
Toxic Substances Control Division



Erwin Koehler
Senior Hazardous
Materials Specialist
Region 2
Toxic Substances Control Division

Cert. Mail P 769 328 847

cc: Mary Locke, Chief, Office of Local Enforcement
Paul Blais, Chief, Surveillance and Enforcement
✓ Steve Johnson, EPA, Region IX

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